



OFFICIAL GAZETTE

GOVERNMENT OF GOA

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Panchayati Raj & Community
Development

Directorate of Panchayats

Notification

34/DP/PAN/ZP/2006

The following draft rules which are proposed to be made in supersession of the Goa Panchayat Raj (Application of Panchayat Fund and Zilla Panchayat Fund) Rules, 2000 published in the Official Gazette (Extraordinary), Series I, No.17 dated 28-07-2000 are hereby pre-published as required by sub-section (1) of section 240 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994), for information of the persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government on the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft rules may be forwarded to the Director of Panchayats and ex officio Joint Secretary to the Government of Goa, 3rd Lift, 3rd Floor, Junta House, Panaji, before the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

DRAFT RULES

In exercise of the powers conferred by sections 162, 168, sub-section (2) of section 184 and

sub-section (2) of section 191 read with sub-section (1) of section 240 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994), and in supersession of the Goa Panchayat Raj (Application of Panchayat Fund and Zilla Panchayat Fund) Rules, 2000 published in the Official Gazette (Extraordinary) Series I, No.17 dated 28-07-2000, the Government of Goa hereby makes the following rules, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Panchayat Raj (Application of Panchayat and Zilla Panchayat Funds) (Conditions and Limitations) Rules, 2006.

(2) They shall come into force at once.

2. *Definitions.*— In these rules, unless the context otherwise requires,—

(a) “Act” means the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994);

(b) “Chief Accounts Officer” means an officer appointed by the Government under sub-section (2) of section 150 of the Act;

(c) “Panchayat Fund” means the Panchayat Fund referred to in section 161 of the Act;

(d) “section” means a section of the Act;

(e) “Zilla Panchayat Fund” means the Zilla Panchayat Fund referred to in section 166 of the Act;

(f) “Schedule” means the Schedule appended to these rules;

(g) Words and expressions used but not defined in these rules, shall have the same meaning as assigned to them in the Act.

3. *Budgetary provision compulsory before incurring expenditure.*— Subject to the provisions of the Act, and such general or special orders as the Government may from time to time make, the Panchayat or the Zilla Panchayat shall make expenditure from Panchayat Fund or the Zilla Panchayat Fund, as the case may be, on the items and to the extent for which the provisions have been made in the budget of the Panchayat or the Zilla Panchayat or funds obtained by re-appropriation duly approved subject to conditions and limitations hereinafter provided.

4. *Conditions for incurring expenditure.*— (1) Every Village Panchayat or Zilla Panchayat, as the case may be, may incur expenditure limited to the amount specified in the budget under each item of expenditure duly approved by the Gram Sabha in case of Panchayat and by the General Body of Members in case of Zilla Panchayat:

Provided that no expenditure shall be incurred on the items beyond the amounts approved by the Gram Sabha in case of Panchayat or the General Body of Members in case of Zilla Panchayat:

Provided further that no expenditure shall be incurred from the balance amount allowed to be kept in the budget as specified by the Government under clause (b) of sub-section (3) of section 182 and clause (c) of sub-section (3) of section 188 of the Act.

(2) Every Panchayat or Zilla Panchayat shall incur not less than twenty five percent (25%) of their income for infrastructure development in the areas where majority of the members of the public belonging to the Scheduled Castes/Tribes or other Backward Classes resides.

(3) Every Panchayat or Zilla Panchayat shall incur not less than twenty five percent (25%) of their income for the subject like health and sanitation including garbage disposal.

(4) Every Panchayat or Zilla Panchayat shall reserve not less than two and half percent (2.5%) of their income as reserve fund for contributing provident fund and pensionary benefits, etc., to the staff working in the Panchayat or Zilla Panchayat.

(5) Every Panchayat or Zilla Panchayat shall not incur expenditure on unproductive items like publicity, birthday greetings, donations in cash, to unregistered clubs or institutions or groups, etc.

(6) Purchase of certain items the cost of which exceeds Rs. 1000/- shall always be regulated in the manner as laid down under the Goa Panchayat and the Zilla Panchayat (Procedure for purchase of stores and equipment etc.) Order 2000, published in the Official Gazette (Extraordinary) Series I No. 23 No. 3, dated 13-9-2000.

Explanation: The word “income” means and includes income derived from all sources, such as, tax, fees, rates, rent and sales proceeds, grants including matching grants and G. I. A. but does not include loans obtained for remunerative scheme and donations or public contribution.

5. *Limitations for incurring expenditure.*— The Village Panchayat and Zilla Panchayat shall restrict the expenditure to be incurred by them limited to the amount specified in columns No. (3) and (4) of the Schedule hereto as mentioned against each item specified in column No. (2) of the said Schedule:

Provided that no expenditure shall be incurred beyond the amounts as specified in column No. (3) of the said Schedule by the Panchayat and no expenditure shall be incurred beyond the amounts as specified in column No. (4) of the said Schedule by the Zilla Panchayat, without the previous sanction of the Government.

6. *Procedure for obtaining sanction.*— (1) The proposal for sanction beyond the limits specified in column No. (3) or (4) of the Schedule shall be submitted to the Director of Panchayats along with the following documents:—

(a) A true copy of the resolution of the Panchayat or the Zilla Panchayat specifying the item and the exact amount for which sanction is required;

(b) A true copy of the budgetary provision made for the same;

(c) A certificate of availability of funds with the Panchayat or the Zilla Panchayat;

(d) A certificate from the Panchayat Secretary or Chief Accounts Officer, as the case may be, stating that the total expenditure during the year has not been exceeded against the item for which sanction is requested.

(2) The proposal for sanction with all documents of the Panchayat shall be routed through the

Block Development Officer of the respective Block to the Director. In case of Zilla Panchayat, the proposal alongwith all documents shall be routed through the Chief Executive Officer to the Director.

(3) The Block Development Officer shall scrutinize the proposal for sanction before onward submission to the Director. The Block Development Officer shall reject the proposal immediately if the same does not meet the requirement as mentioned in sub-rule (1). The Block Development Officer may inspect the records of the Panchayat, if required.

7. Time limit to accord sanction and deeming provision.— (1) The Block Development Officer shall forward the proposal to the Director within a period of seven days from the date of its receipt in his office.

(2) The Director with his recommendation shall submit the proposal to the Government within a period of 10 days from the date of its receipt in his office.

(3) In case the Panchayat or the Zilla Panchayat does not receive any reply within a period of one

month from the date of submission of the proposal in the office of the Directorate of Panchayats, it may be presumed that such sanction is deemed to have been accorded so as not to contravene any of the limits prescribed under these rules.

8. Officials responsible to control the expenditure.— The Chief Accounts Officer in case of the Zilla Panchayat and the Secretary in case of Village Panchayat shall ensure that no expenditure is incurred beyond the limit except under proper sanction and shall disallow any expenditure not warranted by these rules or regulations and for which no provision was made in the budget.

9. Social Audit by Gram Sabha and Members of Public.— A copy of monthly statement of receipts and payments account duly signed by the Secretary and the Sarpanch in case of Panchayat and Chief Accounts Officer and Chief Executive Officer in case of Zilla Panchayat shall be exhibited on the Notice Board of the Panchayat and the Zilla Panchayat as the case may be, on or before 7th of the month next following, for the information of the members of public.

SCHEDULE

(See Rule 5)

(Expenditure to be incurred from Panchayat Fund or Zilla Panchayat Fund)

Sr. No.	Particulars of expenditure	Expenditure that may be incurred by Village Panchayat	Expenditure that may be incurred by Zilla Panchayat	Expenditure that may be incurred by Zilla Panchayat or Village Panchayat with previous permission from the Government
1	2	3	4	5
(1)	Payment of rent for occupation of building	Rs. 5000/- per month	Rs. 25000/- per month	No limit
(2)	Purchase of Furniture	Rs. 50,000/- per annum	Rs. 1,00,000/- per annum	No limit
(3)	Purchase of Stationery	Rs. 25,000/- per annum	Rs. 50,000/- per annum	No limit
(4)	Expenditure for provisions of tea or light refreshment in the	—	—	Not exceeding Rs. 5.000/- per month
(i)	Meeting of Panchayat or Zill Panchayat	Rs. 200/- per meeting	Rs. 3000/- per meeting	—

1	2	3	4	5
(ii) Meeting of Gram Sabha and raising of shamiyana for meeting	Rs. 1000/- per meeting	—	—	—
(iii) Meeting of Standing Committees.	Rs. 100/- per Standing Committee Meeting	Rs. 200/- per Standing Committee Meeting	—	—
(5) Legal charges to the Advocates	Rs. 1000/- in each case subject to a maximum of Rs. 15,000/- in all cases per annum to those Panchayats whose income is below three lakhs and Rs. 30,000/- per annum in all cases whose income exceeds three lakhs per annum if the cases are of public interest	Rs. 1000/- in each case subject to a maximum of Rs. 20,000/- per annum in all cases.	Rs. 1000/- in each case subject to a maximum of Rs. 50,000/- per annum.	Rs. 1000/- in each case subject to a maximum of Rs. 50,000/- per annum.
(6) Expenditure in connection with celebration of national festivals like Republic Day, Independence Day, etc.	Rs. 2500/- in each case limited to Rs. 20,000/- per annum	Rs. 2500/- in each case limited to Rs. 20,000/- per annum	Rs. 5000/- in each case.	Rs. 5000/- in each case.
(7) Expenditure for receptions, presentation for addresses and laying of foundation stones including advertisement.	Rs. 7000/- in each occasion limited to Rs. 25,000/- per annum	Rs. 8000/- in each occasion limited to Rs. 25,000/- per annum	Rs. 10,000/- in each case limited to Rs. 30,000/- per annum.	Rs. 10,000/- in each case limited to Rs. 30,000/- per annum.
(8) Immediate relief to the families affected by natural calamities like fire, flood, heavy rains, coastal winds, cyclone, earth quakes, tsunami, lightening, etc.	Maximum Rs. 1500/- per family (subject to availability of funds in annual budget) but limited to Rs. 25,000/- per annum	Maximum Rs. 5000/- per family (subject to availability of funds in annual budget)	Rs. 25,000/- in each case.	Rs. 25,000/- in each case.
(9) Grants for reading room and libraries for purchase of newspaper, periodicals and books etc.	Rs. 2000/- in each case limited to Rs. 20,000/- per annum	Rs. 5000/- in each case limited to Rs. 50,000/- per annum	No limit.	No limit.
(10) Grants to Mahila Mandals, Self Help Groups, Balwadis/Anganwadis	Rs. 1500/- per institution limited to Rs. 30,000/- per annum	Rs. 2000/- per annum per institution	Rs. 5000/- per annum per institution	Rs. 5000/- per annum per institution
(11) Grants to Educational cultural service institution or organization	Rs. 5000/- per institution per annum	Rs. 5000/- per institution per annum	Rs. 15,000/- per institution per annum	Rs. 15,000/- per institution per annum
(12) Contribution to exhibitions, conferences or seminars, training, camps, workshops				
(a) within jurisdiction of Panchayats	Rs. 50,000/- per annum	Rs. 50,000/- per annum	Not exceeding Rs. 5,000/- in each case limited to Rs. 50,000/- per annum.	Not exceeding Rs. 5,000/- in each case limited to Rs. 50,000/- per annum.

1	2	3	4	5
	(b) and outside the jurisdiction	Rs. 10,000/- per annum	—	—
(13)	Awarding prizes to education competition, sports competition, etc. and aids to promote education	Not exceeding Rs. 100,000/- per annum	Not exceeding Rs. 50,000/- per annum	Not exceeding Rs. 50,000/- per annum
(14)	Donations to registered clubs, societies, etc.	Not exceeding Rs. 5000/- in each case limited to Rs. 25,000/- per annum	Not exceeding Rs. 5000/- in each case	Not exceeding Rs. 25,000/- per annum
(15)	Payment of wages to the labourers engaged for immediate development work or to attend the work of Natural Calamity	Not exceeding Rs. 150/- per labourer	Not exceeding Rs. 150/- per labourer	—
(16)	Advertisement on greetings, etc. (other than birthday/obituary)	Rs. 10,000/- per annum	Rs. 10,000/- per annum	Rs. 10,000/- per annum
(17)	Purchase of electrical goods from authorized dealers only	Rs. 1,00,000/- per annum to those Panchayats whose income is below three lakhs of rupees and Rs. 2,00,000/- whose income exceeds three lakhs of rupees per annum	Rs. 7,50,000/- per annum by North Goa Zilla Panchayat Rs. 5,00,000/- per annum by South Goa Zilla Panchayat	No limit
(18)	Purchase of chemicals, disinfectants, pesticides, germicides etc. for sanitation, garbage treatment, etc.	Rs. 50,000/- per annum to those Panchayats whose income is below three lakhs and Rs. 1,50,000/- per annum whose income exceeds three lakhs.	Rs. 2,50,000/- per annum	No limit

By order and in the name of the Governor of Goa.

Menino D' Souza, Director of Panchayats & ex officio Joint Secretary.

Panaji, 4th October, 2006.